

# Women in the Maharaj Libel Case: A Re-examination

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The middle of the 19th century saw the establishment and consolidation of British rule in India. Simultaneously, British education was launched in earnest, as patronage of traditional education declined. In Bombay this was through the Elphinstone Institution, established in 1823. The students of this institution formed educational and literary societies. The most famous of these young men were Bhau Daji Lad, Dhirajram Dalpatram, Dadabhai Naoroji, Narmadshankar Lalshankar, Karsandas Mulji, Mahipatram Rupram and Nanabhai Rustomji Ranina. At these societies they read contemporary European classics, studied scientific subjects and examined Indian social customs.

A scrutiny of reformist newspapers, like the *Rast Gofar*, *Jagat Premi* and *Gnan Vardhak*, and collections of articles written in the 1850s and 1860s (*Gnan Prasarak* 1849–51), suggests that a large number of the essays written by the reformers were on scientific subjects. For example, they wrote on the earth being round, comets, vaccination, perfumes and improved agriculture. Other articles were on self-improvement wherein virtues like loyalty were praised, and the evils of anger, dependence, lethargy and superstition were deplored. Another set of articles addressed the need for the reform of native society, especially the behaviour of women. They criticised the wearing of excessive jewellery; advocated the education of women and remarriage of high-caste and virgin widows; and the abolition of public festivals like Holi, superstitious practices, the singing of obscene songs at marriages, *nautch*, and the practice of chest-beating during mourning rituals. They commented on child-rearing practices, the behaviour of rich young men, addiction, and so on.

Educating women involved special efforts to open schools for women or enrol them in existing schools. In Bombay the first schools for women were missionary institutions, or ones opened by young men studying in the Elphinstone Institution and who aspired to reform native society (Trivedi 1934). The widow remarriage campaign, initiated in Bengal, was taken up enthusiastically in Bombay Presidency as well (Carroll 1989).

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High-caste men were encouraged to marry, widowed women of their own caste, and the government was urged to legalise such marriages. This would ensure a better life for widows, who were generally neglected and mistreated in their homes. The age of consent campaign came as a climax to the earlier reform efforts (Kosambi 1991). Reformers urged the government that the legal age of consent for girls for marriage be made 12 years. They argued that delaying the marriage would ensure better-educated and healthy mothers, and would make for happier marriages and family life in general (Gidumal 1888; Shodhan 1992). All these discussions set the terms of the public debate on women's role in life.

Recent examinations of the reform movement have reviewed the 19th century critique of 'tradition' and the rise of a modernist perspective, and have argued that the role of women was invariably defined within the parameters of the nuclear patriarchal family (Anagol 1992; Bannerjee 1992; O'Hanlon 1994; Sangari and Vaid 1989; Sarkar 1985). Thus, better education of women, later marriages and even remarriages were discussed in the light of the effect on families in particular, and on offspring and the upbringing of children, on society and the nation in general. It was repeatedly argued in numerous reformist texts that the better-educated woman made a better mother as she could train her children better, that an older wife would be better able to manage her husband's and family's affairs than a young girl who herself needed looking after, and the remarried widow would fit better into society as she would have someone to turn to in times of need rather than be a disgrace and burden on her family (Mahipatram 1879; Narmadshankar 1912; Trivedi 1934).

Thakkar (1994) discusses the nature of the Bombay reformers' interest in the woman's question. She suggests that the ideal woman projected by them was a domestic helpmate. She quotes a description of the ideal woman by Govardhanram Tripathi, a later contemporary of one of the reformers:

Look at the picture of a woman who delights the heart of a man and who overpowers him by her pure love ... she walks gently. She speaks only sweet, melodious words. She is both mild and guileless. She neither sits idly nor wanders here and there .... She neither eats nor drinks like a glutton, but like a temperate woman (cited in Thakkar 1994: 22).

Besides the campaigns mentioned in the foregoing, young men in Bombay, such as Karsandas Mulji and Narmadshankar Lalshankar, took up the issue of the exploitation of women by religious teachers and priests in the context of the Vallabha *sampradaya* (tradition), a Hindu sect in western India. Specifically, they criticised the Vallabha Maharajs or priests for sexually exploiting their women devotees and for their general lack of morality. The young reformers did not deny that religion had a place



in women's lives but argued that women should be encouraged to worship at temples without gurus as intermediaries between them and God.

### The *Pushtimarga*

The Vallabha *sampradaya* is a Vaishnava religious tradition that was established in the 16th century by Vallabhacharya, a Telugu Brahmin, whose uncle was at the Vijayanagar court. He lived at Adel near Benares, and founded a temple and sect in Braj near Mathura. He taught the worship of the child-god, Krishna, and wrote a major commentary on the *Brahma-sutras*.<sup>1</sup> His descendants through the male line were called Maharajs and they presided over the numerous temples of the sect. This sect still has a large following in Rajasthan, Sindh and Gujarat. In Gujarat, the sect attracted the well-to-do among the trading and farming castes—mainly the Bhatia, Vania, Lohana and Kanbi castes (*Maharaj Libel Case* [MLC] 1911: 177–78; Thoothi 1935: 92–93). In 1860 there were about 50 or 60 Maharajs in India, primarily in western India.

In Bombay, the first temple of this religious tradition was established in 1811 by Gokulnathji Maharaj who had been living in Bombay for three years before the temple was established (Vachha 1874: 133). Jivanlalji Maharaj succeeded to Gokulnathji's seat in Bombay. Other Maharajs also came and settled in Bombay later. In the 1860s there were four or five Maharajs residing in Bombay.

*Pushtimarga* (lit. 'the religion of grace') is a devotional religion, where the object of worship is the child-god Krishna. The highest goal of the sect is union with Krishna—self-realisation through the absolute surrender of the self. The link between the individual and Krishna is forged with the assistance of the descendants of Vallabhacharya, who are the *gurus*. The making of the link is called the *brahmasambandha*<sup>2</sup> (relationship with the Universal Self), a rite which is administered to men and women. This ceremony involves bathing and repeating the *brahmasambandha* mantra, and marks the beginning of the individual devotee's relationship with the Lord.

Each devotee has her or his own little idol of the child-god Krishna to serve and worship at home. The large temples belong to particular Maharajs. Lay devotees may go to the temple to obtain audience or *darshan* (lit. sight), or to perform a service. The everyday ritual of worship consists of looking after the child-god Krishna. Thus, in the morning the child-god is woken up, sent to the forest to graze the cows, bathed and dressed, given lunch, followed by the evening meal, and finally put to bed. This schedule requires *seva* or service—cleaning, cooking, preparing flowers for worship, making decorations, and so on. The ideal emotion with which Krishna is served by the devotee is *atmanivedana* (dedication of the soul



to the Lord). A woman is said to experience and express these feelings better than a man (Redington 1984).

The Maharajs had considerable power in dictating the form of worship as well as the personal lives of their devotees, whether they were men or women. They would collect a regular tax from the Vaishnavas (members of the sect), and the wealth of the temples was considered their own. The Vaishnava Maharajs were patronised in Mathura by Akbar and later by Shah Jahan, the Rajput kings of Rajasthan and the rich merchants of Gujarat, thereby amassing huge assets and wealth in the form of property, land and revenue collection rights.

Echoing the reformist critique, earlier precolonial thinkers, for example Damodar Bhatt in the 17th century, had criticised contemporary Vallabhi priests for sexual promiscuity. Bhatt's play in Sanskrit (*Pakhanda Dharm Khandan Nata*), quoted by 19th-century reformers, criticised the Vaishnavas for amoral behaviour (Mulji 1910). At the beginning of the 19th century, Swaminarayan<sup>3</sup> criticised members of the Pushtimarga Vaishnav sect for sexual abuses, and tried to establish rules of conduct for the priests of his own order which would prevent such abuse (Mehta n.d.). Even today we know of religious preachers who similarly exploit the faith of their followers.

These issues were brought to the fore in the Maharaj Libel Case. This case refers to the trial of two major social reformers for their criticism of the religious priests of the Pushtimarga Vaishnava sect. The reformers were acquitted of libel, and their victory celebrated as a triumph of reform over superstitious religious tradition. In this paper I analyse how the Bombay social reformers of the mid-19th century dealt with the question of women in this particular controversy.

Elite women expressed themselves on several issues concerning women, such as education, widow remarriage and the age of consent. They wrote in newspapers, held discussions in drawing rooms which were reported in journals and autobiographies, and even held women's meetings and demonstrations (Bannerjee 1992; Shodhan 1992). However, women in Bombay do not seem to have taken up the issue of priest reform, perhaps because of feminine commitment in general to religious practice. Another reason for the lack of women's participation may have been that the women who objected to the Maharaj's behaviour and practice could not enter the reformist forums to state their problems. I argue in this paper that this happened not because the women themselves were not bold enough but because their complaints and situations fell outside the reformists' own paradigm and frame of reference.

A modern feminist's examination of reform history is not out of place today. Her re-examination of the period can help in illuminating the roots of Indian modernism. Thakkar (1994) has already suggested that the gender dimension was hardly visible or dwelt upon by the reformers in Bombay



during the Maharaj Libel Case. She says that the gender issue was lost in this reform movement because the debate centred around the meaning of religion and textual interpretations rather than on the role and status of women (ibid.: 2). She also says, that 'the purpose of raising the issue [of the reform of the Vallabhaite Maharajs] is not to eradicate the exploitation of women but to establish morality' (ibid.: 10–11). She is making an important point here regarding the reformers' lack of concern for women's emancipation. I propose to examine the debate more extensively to analyse the nature of their interest in women, and to see in what way their efforts failed to do away with the exploitation of women.

While a discussion of the relationship between women and their religious preceptors is long overdue, this paper does not examine the extent and nature of women's commitment to religion in general, and/or to the Vallabha gurus, in particular. Instead, I propose to examine the facts, debates and implications for women of the Maharaj Libel Case and the nature of the reformers' interest or lack of concern for women in this context. Second, I shall describe the solutions advocated for the elimination of the exploitation, sexual or otherwise, of women worshippers. Finally, I shall discuss three specific cases to illustrate the reformers' responses to the issue.

### The Maharaj Libel Case, 1862

In the late 1850s, the reformers as a group made religious behaviour (along with other subjects) the object of their scrutiny and criticised various aspects as superstitious and blind. As part of the project to modernise Indian society, they felt that it was necessary to modernise Indian religious life as well. The Pushtimarga Vaishnava sect was an important religious sect in Bombay. The priests of this sect—the Maharajs—were criticised for licentious, tyrannical and immoral behaviour. The Maharajs were accused of using their religious power over the devotees to tyrannise them in many ways—giving arbitrary decisions regarding disputes within the families of devotees, favouring rich devotees, and even robbing them. However, the most prominent allegation levelled against them was that of indulging in uncontrolled and promiscuous sexual behaviour.

This discussion became 'public' through handbills, such as the ones written by Narmadshankar, a prominent reformer. The reformers published their criticism of the priests in newspapers like the *Times of India* and *Chabuk*. The newspaper *Satya Prakash*, under the editorship of Karandas Mulji, carried the bulk of such articles. These were supported by articles in the *Rast Goftar*, a weekly Gujarati newspaper in Bombay. Reformers also engaged some of the priests in public debates over controversial reform issues like widow remarriage. The exchange between the reformers and the Maharajs became personal and confrontational: every act of the



Maharajs and any event involving them were criticised openly and pointedly. One such critical article was written by Karsandas Mulji on the practice of *brahmasambandha* in *Satyaj Prakash* (21 October 1860).

The article suggested that the Maharajs demanded that men should offer their wives to their gurus for sexual services. It accused the Maharajs of indulging in indecent sexual practices with groups of devotees. The article named Jadunathji Maharaj, and said he should take responsibility for the exploitation of women in the name of religion. Jadunathji Maharaj sued the author Karsandas Mulji, and the publisher, Rustomji Ranina, for libel. The libel case, famous as the Maharaj Libel Case (January–March 1862), became the ‘crowning glory’ of the Bombay reformists’ battle against traditional religious practices.

During the course of the trial, the Maharaj and Vallabhaite practices were once again criticised. Although only two men, Mulji and Ranina, were formally accused of libel by the Maharaj, almost all the reform-minded men in Bombay, like Narmadshankar Lalshankar, Mathuradass Lavji and Bhau Daji, were involved in fighting the case. Prominent merchants, like Gokaldas Tejpal, Mangaldas Nathubhai and Lakhmidas Khimji, also supported reformers like Mulji, Lalshankar Ranina and Bhau Daji, who were educated young men.<sup>4</sup>

The Maharaj was supported by a similar mix of rich merchants (*shethiys*) and young educated and professional men. Prominent merchants, like Varjivandas Madhavadas, supported the Maharaj alongside clerks and government employees, like the court translator Nanabhai Haridas (who later became the first Indian judge of the Bombay High Court).

The Maharaj Libel Case was fought in the then Bombay Supreme Court. The trial was attended by large crowds, and the proceedings were reported in all the local papers every day. The reformers won the case, and this was seen as a major victory for reform. Soon after the case ended, the proceedings were published in book form in Gujarati and English. Parts of the judgement in the case were carried on the front page of the *Times of India* for at least a month after it was delivered.

### The Reformers’ Viewpoint

The reformers based their arguments chiefly on the ground of morality. They argued that the Maharajs were immoral and exploited women sexually. They suggested that the Maharajs encouraged women to be adulterous and have extramarital relationships with them. I examine, in the following, the content of the reformist critique and its implications for the devotees in general and for women in particular.

The reformers described the religious behaviour of the devotees as superstitious, ignorant and blind. For example, Mr. Anstey (advocate for the reformers) concluded his speech at the end of the trial by saying that



'the Maharaj preyed upon the *blind ignorance* and *credulity* of his followers, and in the prosecution of his unholy ends brought his *peculiar Shastras* to his aid' (MLC 1911: 365, emphasis added).

This statement, typical of statements made by the reformers, implied that the devotees were 'ignorant', 'blind', 'credulous', 'deluded', and so on. Thus, the Maharaj was the one who was said to be in control. But if one considers Mr. Anstey's sentence carefully, it becomes clear that it was believed that the Maharaj employed his 'peculiar Shashtra' to control his devotees. Thus, it would seem that it was the Maharaj's doctrine that was to be blamed, and that 'everyone' believed in it blindly without any logic or debate amongst themselves.

This image of the religious group as a whole persisted, despite considerable evidence presented at the trial that every member of the sect did not share the same beliefs. For example, Jumnadass Sevaklal, a witness for the defence, said when he was cross-examined, 'It is true that about half the Bania caste does not believe in the Maharaj. There are two sects of Banias—believers and unbelievers' (MLC 1911: 134). Mathuradass Lavji, another witness, said, 'A few Vaishnavas do not consider the Maharajs as gods. I do not, but my brother does consider them as such' (ibid.: 281). But the differences that existed among members of the sect were ignored by the court. Instead of discerning the situation in all its complexity—an exercise which would have required a more in-depth examination of the practices of women and others—the limited court-room discussion served only to demonstrate how 'absolute' were the adulterous practices of the Maharajs and their devotees.

Another argument was also used to explain the adulterous religious practice in question. The Maharaj stated in court:

[It is alleged] that abstinence from women was the profession of the Maharaj; but [we deem it] unnecessary to notice such a monstrous argument which bore absurdity on the face of it, for abstinence from women is no man's profession, and much less in a climate like this, where the passions are warm, where children arrive at puberty at a much earlier age than in the cold countries (MLC 1911: 31).

The reformers too subscribed to this notion of 'natural sexuality'. As Mulji's biographer says: 'The Gujarati Hindu women were placed in an unfavourable situation in as much as they were illiterate . . . that *they lived in a climate which early developed their passions* and that they resided in a moral atmosphere unfavourable to purity and delicacy' (Motiwala 1935: 157, emphasis added). Further, in the judgment read by the judges, 'The hymns sung by the women of the Vallabhacarya sect in honour of the Maharajs . . . *are passionate with all the passion of the East*' (MLC 1911: 441, emphasis added). Thus it would seem that men and women had no volition, and were controlled by their nature and climatic and geographic situation.



They were merely objects in the grip of 'degradation', 'sensuousness', and 'passion'. The reformers, therefore, felt that it was necessary to control the natural tendency of the people of the East to immorality through regulation.

As a category women were seen by the reformers as subordinate to males—husbands, fathers and Maharajs. It was assumed that the women concerned had no agency at all—they were sent to the Maharajs by their male relatives. In one article on the subject of the Maharaj's degradation, Mulji wrote:

Maharajs write in their books about enjoying the tender maidens, the people's wives and daughters, and they enjoy them accordingly .... Maharajs, acting up to that commentary, [you] defile the wives and daughters of your devotees .... The Maharajs are offered the wives and daughters before they are put to their own use (MLC 1911: 4).

This image of silent women in reformist writing is consistent with the image of the women of the sect as it emerged in the law court. In the entire case, though the main accusations against the Maharaj concerned women, adultery and immoral practices, no woman was examined to present direct evidence regarding their exploitation. As in the literature, in the court case too women were absent.

The construction of women as passive subjects continued to persist despite several witnesses testifying to the women's willing participation in religious practices, considered by the reformers as immoral. The reformers cited the existence of *ras mandalis* (love societies) at Bet Dwarka in Gujarat, among other places, where married couples participated in licentious sex. Many instances were cited of women swinging the Maharaj on the swing, sitting with him in their gardens, visiting him in the afternoon, playing Holi, singing songs to him, giving him offerings, and so on. Other witnesses testified that the women participated willingly, went to see the Maharajs on their own and came out smiling; and that often the contact was initiated by the women themselves (Evidence of Lakhmidas Khimji, MLC 1911: 298; Kalabhai Lalloobhai *ibid.*: 302, 309).

In his judgement too, the judge mentions the women's participant role: 'The wives and daughters of these sectaries [*sic*] (with their connivance in many cases, if not with their approval), went willingly—went with offerings in their hands' (MLC 1911: 430–31).

In 1858–59, a few years prior to the libel case, in a controversy between the Maharaj and the reformers, some women had come out on the streets in support of the Maharajs. A report of this dramatic action of the women is noted in a biography of Karsandas Mulji by one of his contemporaries, also a reformer (Mahipatram 1879: 19–20). Towards the end of 1858, the editor of *Chabuk*, Navrajaji Dorabji, allegedly at the instigation of the Maharaj, published several articles abusing and criticising the Bhatia



reformers, Gokaldas Tejpal and Lakhmidas Khimji. The latter took the editor to court for libel in January 1859 (*Rast Gofiar*, 16 January 1859: 32–33). The editor was advised to call the Maharaj of Bombay as a witness. But the Maharaj, Jivanlalji, refused to come to court, and instead closed his temple and disallowed *darshan*. It is said that some women took to the streets and observed symbolic mourning to condole the 'death' of the reformers. It would seem that these women only wanted their daily *darshan* to continue without disturbance, and they wanted it badly enough to organise for it. I would suggest that these women were so completely excluded from the reformers' discourse, and so distant from it, that the reformers' standpoint was deemed by them to be more an obstruction than an attempt to improve their lives.

Although it was obvious to the reformers and the courts that the women participated actively in the worship of the Maharajs, such participation was not questioned by them. They did not ask why the women were willing, why they undertook such practices or why they were attached to the Maharajs. Mahipatram has no comments on the women who undertook the demonstration. Who were these women? Why did they abuse the reformers? Instead of being treated as active participants responsible for their actions, the women were portrayed as being forced into these practices without agency. Thus, in the discourse women were infantilised and called 'tender maidens'. As wives and daughters they were seen as possessions of men, as objects who were 'defiled', 'enjoyed' and 'used', and thereby 'degraded and abused'. The true nature of the women's devotion and worship of the gurus was not analysed by the reformers.

The only women whose activity was recognised by the reformers as independent were the older single women, mostly widows. The activities of these women, and their worship of the Maharajs, were violently criticised. The most vitriolic accusations in reformist writing were made against the older woman—widow and 'crone'. She was described as the pimp, responsible for 'spoiling' the young bride, taking her to the temple and introducing her to 'illicit' sex. Malabari (1884: 317–18), writing about the dangers in the domestic life of the Gujaratis, mentions a young 10-year-old bride, Moghi Thakrani, who was 'offered' to the Maharaj before she cohabited with her husband. She was taken to the Maharaj by an old aunt. The reformers severely criticised such actions of older women. They spoke on behalf of Moghi Thakrani and others like her—young girls and child-brides.

The reformers were provoked more by the promiscuity of the Maharajs with other men's wives and daughters rather than by the criminal offence of forcing unwanted sexual attention on women and girls. Even in the article that was held to be libelous, Mulji accused the Maharaj of 'spoiling' the wives and daughters of devotees. He charged the Maharaj of making the men promise their wives to him through the dedication ceremony



of the *brahmasambandha*—a promise of adultery that the reformers found loathsome.

While the employment of prostitutes by the Maharajs was criticised, this was not considered as abominable as their sexual liaisons with women of respectable households. The Maharajs were accused of teaching the wives and daughters of their disciples to practise illicit sexual behaviour. On one occasion, a specific accusation was made that the Maharaj was fondling the breasts of women during the celebration of the Holi festival 'publicly and privately' (MLC 1911: 53). This was described as taking place with a woman who was 'neither wife nor lawful concubine'; there was also a reference to the throwing of *gulal* (red coloured powder, used on festive occasions) on the breasts of women who were 'neither wife nor lawful concubine' (ibid.). The problem then, according to the reformers, was not sexual exploitation and harassment by the Maharajs but their corruption of 'respectable' women.

The infantilisation of women and their treatment as objects—as belongings that were used and abused rather than as independent actors with their own dignity and rights—rendered the reformers' concern for women extremely patronising. The sum total of their attitude towards women excluded women entirely from their discussion. The utter revulsion felt by the reformers towards forms of worship by women, such as singing songs of *gopibhava* (the emotion of amorous love shown by cowherd women in Krishna mythology) must have also contributed to the exclusion of women from the discussion. Therefore, reformist attitudes did not encourage women to play a role in ending the exploitation of women by the Maharajs. In fact, women were seen as incapable of independent action. Such a view of women could not create a space for women in the reform effort.

### The Reformers' Solutions

Given the reformers' view of women as infantile and/or degraded, governed by either their environment or superstitious faith, the change in their behaviour had to be brought about by others—obviously, the male heads of families. In the view of the reformers, women required greater control. Mulji made a clear statement in the *Rast Gofiar Tatha Satya Prakash*<sup>5</sup> (RGSP, 18 November 1861). Obviously addressing a male audience he said:

Divest your females of the notion that the intercourse with the Maharajs is an honour, and that amorous connection with them is bliss .... Claim them as your own only, and bind them to yourselves and your families by the strong and hallowed ties of conjugal, parental, and filial affection. Let not your homes have the scent of the impurities of



the temple, whose odour should be disgusting to your nostrils (Motiwala 1935: 142).

Further, since older women contributed to such abuse, control over them was to be sternly exercised by the male members of the women's families. Thus, reform actually meant regulation. It justified the imposition of power over women—'conjugal, parental, filial'. This opinion can be found in articles by other reformers as well. A letter written to the *Times of India* described the Vallabhacharya priests as 'luring' women from the family, and suggested that their practices were subversive of male authority. It described the Maharaj as 'surreptitiously administering ... spiritual advice to females ... when [the licentiousness became] known [it] has been put down by the male members of the family' (*Times of India*, 16 February 1862).

The *Rast Gofar Tatha Satya Prakash* suggested that the libel case should shame the men who sent their women to the Maharaj's temple. It asked the Vaishnavas to find ways to protect their family honour and reputation (*abaru*) (RGSP, 7 September 1862: 431). Here, again, the concern is for honourable and respectable family men and their reputation and standing, rather than for women.

Many of the steps suggested as solutions to the Maharaj's behaviour reflected this attitude. One complaint of the reformers was that the Maharaj entertained women in his zenana in the afternoon. The author of an article suggested that such *darshan* must be stopped. As a way of preventing private meetings, he suggested several rules for women: they should have *darshan* only from 7 a.m. to 9 a.m., they should enter the *zenana* only to meet the Maharaj's wife and daughters when the Maharaj was busy with other work, they should not be allowed to visit in the afternoon, and they should not be allowed to visit the Maharaj to offer him fruit in private (RGSP, 12 May 1861: 219).

The *Rast Gofar Tatha Satya Prakash* reported that four or five large families had decided that the women of their homes would not be allowed to visit the Maharajs. The paper also reported that these families tried to stop the women's visits to the temple, some even using force and violence. The paper further reported that these efforts were a failure (RGSP, 9 June 1861: 266).

Reformers from among the Bhatias, a caste of rich traders and devout followers of the Pushtimarga Maharajs, had been complaining of the Maharajs' behaviour since at least 1855. In 1855 the caste passed a resolution, which had widely been acclaimed as an attempt to eradicate the Maharajs' licentiousness. This resolution carried the following provisions: 'Bhattia women should not go about in their Garries without "purdas" or screens ... women should not sit in the roads on the occasion of any eath in the caste; they should attend early at the general caste dinner,



etc.' (evidence of Bhimjee Purushottam, 25 February 1862, MLC 1911: 333).

These proposals to contain the Maharaj's threat to women required that women change their life-style and restrict their movements. Such suggestions restricted women's mobility in general, let alone vis-à-vis religious preceptors. The Bhatia caste meetings made these proposals even as Mulji's critique of the Maharaj was being publicised. Thus, though in other places Mulji may have argued for women's equal rights, and other reformers argued that women should be allowed to go out in public along with their men, with regard to religious reform and practical solutions to the evils that had crept into religious practice, the solutions were restrictive rather than emancipatory. Significantly, restrictions on the movements of the Maharajs were not recommended.

### Three Cases

I shall now examine three specific complaints against the Maharajs. The response of the reformers to the cases varied dramatically. Whereas, in the first case, the reformers were not at all keen on protecting the woman and her rights, in the other two cases action was immediately taken—in one to restrict the women and in the other to punish the concerned Maharaj severely.

The first case concerned a Bombay Maharaj, Gokuleshdhishaji (also spelt Gokildasaji). He had sent a legal notice in February 1861 to Manek, a Bhatia widow, to sell her house and give him the money, since she had allegedly gifted the house to him. He threatened to sue her if she did not do so. Instead of giving in to the Maharaj's threats, she employed Anstey (the same lawyer who was later employed by the reformers) to pursue the matter legally. She accused the Maharaj of having pressurised her to sign over her home to him by harassing her. The Maharaj pleaded in court that she had no right to complain.

The Supreme Court gave a verdict in her favour, on the ground that she had every right to sue the Maharaj. Gokuleshdhishaji had to pay Rs. 700 as costs and was given time to enter his plea. Anstey served an attachment order on the Maharaj to force him to remain present in court. On 28 February 1861 he tried to serve a notice of this order on the Maharaj but the person delivering the notice was thrown out. Almost two years earlier Mulji had written that the Maharaj should be prosecuted and forced to appear in court, like any common citizen, for his crimes (Mulji 1859: 32–33). However, when Manekbai was fighting the case, the *Rast Gofur Tatha Satya Prakash*, the reformers' mouthpiece, merely mentioned these proceedings, once in the comments page but mostly as small news items. None of the reformers considered this an opportune moment to criticise the Maharaj. Nor did they hold felicitation ceremonies for the widow



Manekbai who dared to challenge and summon the Maharaj to court. The reform magazines and societies did not recognise her pursuit of the Maharaj in court as a modern challenge to the Maharaj, and did not celebrate it as such. Nor did they criticise the Maharaj for having forced the widow to donate the house to him. This action was described merely as a sign of the Maharaj's foolishness—the title of the *Rast Gofiar Tatha Satya Prakash's* comment was '*maharajoni murkhai*' (RGSP, 17 February 1861: 78). They did not support her case, nor did they join her in ensuring that the Maharaj would be properly prosecuted.

Finally, the dispute was settled out of court by the leaders of the Bhatia community. They forced Manekbai to withdraw the case and to pay the Maharaj a sum of Rs. 1,600 to release her building, which was valued at Rs. 14,000. He was compensated for giving up the claim to the house, which he had forced out of her. Her brother helped her through the dispute and its settlement (RGSP, 17 February, 3 and 24 March, and 21 April 1861).

Compare the disregard of the reformers and their newspapers for an independent older woman's struggle against a Maharaj with the events following two other complaints against other Maharajs. A young Bhatia girl complained that a servant of the Maharaj had taken her jewels. When some leading Bhatias heard the complaint, they went to the Maharaj and requested him not to allow women to see him at untimely hours. He, however, refused. The report goes on to say that the same afternoon, the Bhatias convened a general meeting of the caste. They resolved that no Bhatia female should stir out at night, and that a violation of this order would be attended by a fine. By virtue of this resolution, several fines were collected (*Times of India*, 2 May 1862). Thus a younger woman's complaints against the Maharaj's establishment provoked action on her behalf. However, it was the woman who was controlled—her mobility restricted ostensibly for her own 'safety'—rather than supported and enabled to proceed against the Maharaj.

The third instance was a case of rape. An unnamed Maharaj was accused of raping and causing the death of a 12-year-old girl in Bombay. The reformist newspapers launched a campaign against the offender. They wanted the parents to take the Maharaj to court and punish him appropriately for his offence. The Maharaj himself was afraid this might happen, and tried to prevent such an eventuality by making suitable arrangements (*bandobast*) (RGSP, 24 September 1865: 613). When little action was taken, the papers accused the parents of the girl and the caste leadership of impotence and criminal neglect of the cause of women. Only a case as severe as that of rape and murder of a young child could provoke abuse of the Maharaj, and of the establishment that tolerated such priests. Only in this case was action urged against the Maharaj.

From an analysis of these cases, it is clear that the reformers confined



their concern to certain categories of women only, and that unless the offence was as heinous as rape they did not express indignation and urge action. Perhaps it was the reformers' concern with the 'rights' of younger and dependent women that led to the differing responses of the media and the reformers to these three cases. In the first instance, the woman concerned was an older widow whereas in the other two cases the women concerned were young, in one case married and in the other unmarried. It is evident that the religious relationship with the Maharaj was examined only in the case of family women (i.e., daughters and wives) for whom the religious relationship between guru and woman had to be pure and asexual. Other types of exploitation by the guru of women who had become asexual by virtue of age, and so on, did not seem to be of concern in the same way. Manekbai's courage in taking the Maharaj to court for harassment was not celebrated, while the parents' cowardice in not pursuing the Maharaj was bemoaned. The reformers could not appreciate the older woman's independence or include it within the reform movement as model behaviour. Their championship of the cause of women seems to have been limited to the need to protect and control young marriageable/married women.

## Conclusion

The 19th-century reform movement is seen as the source of Indian modernism. Historians have described this movement as heralding a period of women's emancipation from tradition, symbolised among other things by rituals, religion and the power of priests (Heimsath 1964; Natarajan 1959; Raval 1987). An examination of reformist statements and actions in the specific area under consideration here indicates that priestly tyranny was to be replaced by the mantle of domesticity. While the reformers sought to remove priestly exploitation—both religious and sexual—their solution was to regulate young married or unmarried women to avoid family shame and/or embarrassment rather than to make these women self-reliant or bring the offenders to book. It is difficult to escape the conclusion, therefore, that the reformers were not greatly concerned with women as individuals. They urged women to become much more domestic and pursue their appointed roles. Domestic morality would shape women's lives—this was recommended as an enlightened life-style.

As a corollary, women were not drawn into the public space. While horror over the heinous exploitation of women by figures of religious authority was expressed, space was not created for women's participation in the reformers' discourse. The reformers did not attempt to include women in their activities of protest against the Maharajs. The testimony of women was not taken, nor were women who were exploited in various ways supported in their fight against exploitation. Women per se, and



their rights, were not of any 'interest' to the reformers. In their view women were objects, either deluded or in the grip of nature, or they were child-like, possessions of fine, upright family men. Such women did not undertake any actions of their own accord, and were not independent actors or agents. Women who did not fit this description were ignored. There were some, indeed, who did not fit the description, such as older single women who were strong enough to own and manage property.

The only report we have of women's participation in the Maharaj-reformer disputes was their action in 1858 (prior to the libel case). Here they seem to be taking sides with the Maharajs. Instead of questioning why such supportive action was taken by women in favour of their so-called exploiters, the reformers saw this as a further sign of women's backwardness and superstition. Yet, when faced with women who complained about the Maharaj or who had the courage to take a stand against the Maharajs as Manekbai did, they were unable or unwilling to help them, let alone celebrate or felicitate such women.

It is suggested that, given the gender roles of the period, it is indeed 'too much to ask' that women and men work together. However, given the gender roles, it is unimaginable that a woman would hire a lawyer and summon the Maharaj to court as Manekbai did. If she had the courage to take this stand, perhaps it is not out of place to question why and how the reformers' discourse could not include women such as Manekbai, and celebrate her actions.

The reformers' bias in favour of the patriarchal family is clear in their treatment of the woman's question. As stated earlier, in spite of their righteous indignation on moral issues, concern for women formed a small part of the controversy. It is also clear that the reformers were not interested in the religious aspect of the relationship between gurus and women devotees. They wished to eliminate such a relationship altogether. To that end they suggested that new temples be created without the gurus (*RGSP*, 9 June and 21 July 1861, and 26 October 1862). The solutions invariably suggested by the reformers to the threat of sexual exploitation by the religious leaders required that women curtail their religious activities. This kind of improvement obviously could not be welcome to women. Tarabai Shinde's critique of reformist writing, in another context, can be appropriately quoted here (O'Hanlon 1994). Shinde felt that the new public arena was reducing women's freedom. As opposed to reformist men who viewed the woman as a domestic helpmate, she did not see the home as a sacrosanct domain and asked for women to be rescued from there (*ibid.*: 52). One may conclude then, that the roots of Indian liberal modernism are entrenched firmly in the patriarchal fold, however different that fold may be from the traditional patriarchal fold. This conclusion helps us understand how, even though we ostensibly went through



a period of social reform on behalf of women in the 19th century, Indian women today are still seeking emancipation. Modern Indian women's oppression continues not because the reform project of the 19th century—with its abolition of sati and permission for widow remarriage—remained incomplete, but because the paradigmatic contours of that reform project firmly placed women in a private and domestic arena as possessions of men and infantile objects to be regulated and controlled.

## Notes

1. A Vedanta text on which all the major Hindu religious teachers have written a commentary.
2. This was the practice by which the individual established his or her relationship with the Lord, and the Maharaj as guru was the mediator forming this relationship.
3. Sahajanand Swami (1781–1830), called Swaminarayan, founded the Swaminarayan sect in Gujarat, and is considered an incarnation of God. He wandered all over Gujarat, but his devotees are chiefly in north Gujarat and Saurashtra.
4. This was one reformist event where the distinction between the intelligentsia and merchant-princes, that Dobbin traces, cannot be observed (Dobbin 1972).
5. The two newspapers, *Rast Goftar* and *Satiya Prakash*, merged in late 1860.

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